

Exhibit 33
Filed Under Seal

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF TEXAS
WACO DIVISION

SONOS, INC.,)
)
Plaintiff,)
)
vs.) Case No.
) 3:21-cv-06754-WHA
GOOGLE LLC,) and
) 3:21-cv-07559-WHA
Defendant.)
_____)
AND RELATED CROSS-ACTION.)
_____)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIRTUAL VIDEOCONFERENCE VIDEO-RECORDED
DEPOSITION OF CHRISTINA VALENTE
Monday, May 11, 2022
Remotely Testifying from Belmont, Massachusetts

Reported By:
Hanna Kim, CLR, CSR No. 13083
Job No. 5229180

Page 1

1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN 2 DISTRICT OF TEXAS 3 WACO DIVISION 4 5 SONOS, INC.,) 6) 6 Plaintiff,) 7) 7 vs.) Case No. 8) 3:21-cv-06754-WHA 8 GOOGLE LLC,) and 9) 3:21-cv-07559-WHA 9 Defendant.) 10) 10 AND RELATED CROSS-ACTION.) 11) 12) 13 Virtual videoconference video-recorded 14 deposition of CHRISTINA VALENTE, remotely testifying 15 from Belmont, Massachusetts, pursuant to the 16 stipulations of counsel thereof, on Monday, May 11, 17 2022, before Hanna Kim, CLR, Certified Shorthand 18 Reporter, No. 13083. 19 20 21 22 23 24 25	1 INDEX OF EXAMINATION 2 3 WITNESS: CHRISTINA VALENTE 4 EXAMINATION PAGE 5 BY MS. ROBINS: 11 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
Page 2	Page 4
1 REMOTE VIDEOCONFERENCE APPEARANCES OF COUNSEL: 2 3 For Sonos, Inc.: 4 LEE SULLIVAN SHEA & SMITH 5 BY: AMY BRODY, ESQ. 6 656 W Randolph Street, Floor 5W 7 Chicago, Illinois 60661 8 312.757.4478 9 brody@ls3ip.com 10 11 For Google LLC: 12 QUINN EMANUEL URQUHART & SULLIVAN, LLP 13 BY: LANA ROBINS, ESQ. 14 BY: LINDSAY COOPER, ESQ. 15 50 California Street, Suite 1800 16 San Francisco, California 94111 17 415.875.6600 18 lanarobinsquinnemanuel.com 19 20 Also Present: 21 DAVID WEST, Video Operator 22 23 24 25	1 INDEX OF EXHIBITS 2 VALENTE DEPOSITION EXHIBITS PAGE 3 4 Exhibit 1006 February 14th, 2022, notices 14 5 of subpoena to Christina 6 Valente; 15 pages 7 Exhibit 1007 Printout of PDF of LinkedIn 19 8 profile of Christina 9 Valente, downloaded on 10 May 8, 2022; 4 pages 11 Exhibit 1008 E-mail from Adam Graham, 39 12 6/12/2014, subject: 13 "Agenda: Weekly Google/Sonos 14 Sync"; Bates nos. 15 GOOG-SONOSWDTX-00053883 16 Exhibit 1009 E-mail from Christina 57 17 Valente, 2/13/2014, subject: 18 "Beta Email Flow"; Bates 19 nos. SONOS-SVG2-00193866 20 Exhibit 1010 E-mail set, top e-mail from 59 21 Adam Graham, 2/12/2014, 22 subject: "RE: External 23 testers - MRP?"; Bates nos. 24 SONOS-SVG2-00194279 through 25 '281
Page 3	Page 5

1	INDEX OF EXHIBITS (CONTINUED)		1	INDEX OF EXHIBITS (CONTINUED)	
2	VALENTE DEPOSITION EXHIBITS	PAGE	2	VALENTE DEPOSITION EXHIBITS	PAGE
3			3		
4	Exhibit 1011 E-mail set, top e-mail from	62	4	Exhibit 1020 "Sonos Integrator	108
5	Adam Graham, 3/20/2014;		5	Agreement"; Bates nos.	
6	Bates nos.		6	SONOS-SVG2-00205064 through	
7	SONOS-SVG2-00187279 through		7	'5071	
8	'187281		8	Exhibit 1021 Sonos, Inc., Content	115
9	Exhibit 1012 E-mail set, top e-mail from	67	9	Integration Agreement; Bates	
10	Christina Valente,		10	nos. GOOG-SONOSNDCA-00055243	
11	3/20/2014; Bates nos.		11	through '252	
12	SONOS-SVG2-00201056 through		12	Exhibit 1022 E-mail from Aaron Goldstein,	126
13	'1058		13	10/11/2019; Bates nos.	
14	Exhibit 1013 E-mail from Adam Graham,	71	14	SONOS-SVG2-00202342 through	
15	3/27/2015; Bates nos.		15	'343	
16	SONOS-SVG2-00097413 through		16		
17	'414		17	--o0o--	
18	Exhibit 1014 E-mail set, top e-mail from	83	18		
19	Christina Valente,		19		
20	11/25/2014; Bates nos.		20		
21	SONOS-SVG2-00206304 through		21		
22	'305		22		
23			23		
24			24		
25			25		
		Page 6			Page 8
1	INDEX OF EXHIBITS (CONTINUED)		1	Remotely Testifying from Belmont, Massachusetts	
2	VALENTE DEPOSITION EXHIBITS	PAGE	2	Wednesday, May 11, 2022; 9:08 a.m., EDT	
3			3	--o0o--	
4	Exhibit 1015 E-mail set, top e-mail from	84	4	THE VIDEOGRAPHER: Okay. Good morning.	
5	Michael Mott, 11/4/2014;		5	We are on the record.	09:08:17
6	Bates nos.		6	The time is 9:08 a.m., and that is Eastern	
7	SONOS-SVG2-00185059 through		7	Time. The date today is May 11th, 2022.	
8	'060		8	Please note that this deposition is being	
9	Exhibit 1016 "Prioritization Round 2"	86	9	conducted virtually.	
10	attachment; Bates nos.		10	Quality of recording depends on the	09:08:35
11	SONOS-SVG2-00185061 through		11	quality of camera and internet connection of	
12	'089		12	participants.	
13	Exhibit 1017 E-mail from Craig Shelburne,	91	13	What is seen from the witness and heard on	
14	5/5/2011; Bates nos.		14	screen is what will be recorded.	
15	SONOS-SVG2-00198949		15	Audio and video recording will continue to	09:08:45
16	Exhibit 1018 Sonos, Inc., Content	93	16	take place unless all parties agree to go off the	
17	Integration Agreement; Bates		17	record.	
18	nos. SONOS-SVG2-00198950		18	This is Media Unit 1 of the video-recorded	
19	through '957		19	deposition of Christina Valente, taken by counsel	
20	Exhibit 1019 E-mail set, with top e-mail	105	20	for Google LLC, in the matter of Google LLC versus	09:08:59
21	from Juergen Schmerder,		21	Sonos, Inc. and Sonos, Inc. versus Google LLC, filed	
22	3/24/2015; Bates nos.		22	in the United States District Court, for the	
23	SONOS-SVG2-00205062 through		23	Northern District of California.	
24	'063		24	The case numbers are 3:21-cv-06754-WHA and	
25			25	3:21-cv-07559-WHA.	09:09:27
		Page 7			Page 9

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

<p>1 A. My role was to manage the alpha and beta 2 processes and participation. 3 Q. The bottom of the e-mail has a section 4 called "Test CAST"; correct? 5 A. Correct. 10:37:12 6 Q. And that section reads, "Using an Android 7 phone or tablet you will be able to CAST to a Sono 8 player" -- Sonos player"; correct? 9 A. Correct. 10 Q. It also says, "Download Google Play Music 10:37:49 11 from the app store. Select CAST in the upper left 12 hand corner of the Listen Now screen"; correct? 13 A. Correct. 14 Q. So in order to CAST, a user would have to 15 select CAST in the Google Play Music application? 10:38:11 16 A. Correct. 17 Q. Had Google and Sonos already built the 18 Cloud Queue functionality at this point in time? 19 MS. BRODY: Objection to form. 20 THE WITNESS: I don't recall. 10:38:36 21 BY MS. ROBINS: 22 Q. So you don't remember if Cloud Queue was 23 ready for beta testing at this point in time? 24 A. I don't recall. 25 Q. Are you familiar with Google's Media Route 10:38:56 Page 58</p>	<p>1 A. Yes, I have the document up. 2 Q. Do you recognize this document? 3 A. Yes, I do. 4 Q. It's a February 12th, 2014, e-mail that 5 you sent to Adam Graham; correct? 10:42:28 6 A. Correct. 7 MS. BRODY: Objection. That 8 mischaracterizes the document, which includes 9 various e-mails of different dates. 10 BY MS. ROBINS: 10:42:40 11 Q. It is an e-mail chain between you and Adam 12 Graham; correct? 13 A. Yes, it is. 14 Q. And the last e-mail, the most recent 15 e-mail, is from February 12th, 2014? 10:42:49 16 A. The most recent e-mail is dated Wednesday, 17 February 12th, 2014. 18 Q. And the subject line is "External 19 testers-MRP?"; correct? 20 A. Correct. 10:43:28 21 Q. The third line of the most recent e-mail 22 refers to the "Biggie program"; correct? 23 A. Correct. 24 Q. What was the Biggie program? 25 A. That was code name -- that was a code name 10:43:46 Page 60</p>
<p>1 Provider Protocol? 2 A. No. 3 Q. Are you familiar with MRP? 4 A. Yes. 5 Q. Do you understand MRP to be an acronym for 10:39:25 6 Media Route Provider Protocol? 7 A. Yes. 8 Q. What do you understand MRP to be? 9 A. I don't recall. 10 Q. Is there any relationship between SMAPI 10:40:02 11 and MRP? 12 A. No. 13 Q. Did SMAPI use MRP? 14 A. No. 15 MS. ROBINS: I'm going to introduce 10:40:22 16 another exhibit through Exhibit Share, and I will 17 let you know when it is up. 18 I just introduced the exhibit to Exhibit 19 Share, and I would like to mark this document as 20 Exhibit 1010. 10:41:17 21 (Valente Deposition Exhibit 1010 was 22 marked electronically.) 23 BY MS. ROBINS: 24 Q. Can you please let me know when you have 25 the document up. 10:41:24 Page 59</p>	<p>1 internally. 2 Q. What was it a code name for? 3 A. I believe it was Google Play2Sonos. 4 Q. Did it have anything to do with SMAPI? 5 A. I can't remember the details of the 10:44:11 6 program. 7 Q. What was your role in the Biggie program? 8 A. My role in the Biggie program is 9 highlighted in the bullet points. Basically I was 10 responsible for recruiting external beta testers. 10:44:37 11 Q. What was the Devo project? 12 A. I don't recall. 13 Q. Do you recall if Biggie and Devo were 14 similar? 15 A. I don't recall. 10:45:07 16 Q. Did you work on MRP through your work on 17 the Biggie program? 18 A. Again, my role was organizing beta 19 testers. I did not do any development work on MRP. 20 Q. What was your understanding of the 10:45:37 21 differences between MRP and CAST? 22 MS. BRODY: Objection to form. 23 THE WITNESS: I don't know. I can't 24 remember. 25 BY MS. ROBINS: 10:46:00 Page 61</p>